



PLANNING COMMISSION AGENDA REPORT

MEETING DATE: JANUARY 12, 2004

ITEM NUMBER:

SUBJECT: CONDITIONAL USE PERMIT PA-03-60
350 PAULARINO AVENUE

DATE: DECEMBER 31, 2003

FOR FURTHER INFORMATION CONTACT: WILLA BOUWENS-KILLEEN, SENIOR PLANNER
714.754.5153

DESCRIPTION

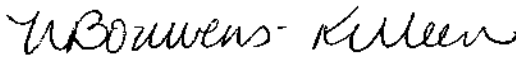
Applicant proposes to manufacture vitamins and nutritional supplements in an existing industrial building. The applicant wants to consolidate their business by relocating their administrative offices from 1239 Victoria Street, Costa Mesa, and the manufacturing portion of their business from Santa Ana, to the subject property.

APPLICANT

Cheryl Cartwright of Westar is representing the property owners, Munson Family Trust.

RECOMMENDATION

Approve by adoption of Planning Commission resolution, subject to conditions.


WILLA BOUWENS-KILLEEN
Senior Planner


PERRY L. VALANTINE
Asst. Development Services Director

PLANNING APPLICATION SUMMARY

Location: 350 Paularino Avenue Application: PA-03-60

Request: Conditional use permit to manufacture vitamins and nutritional supplements in an existing industrial building.

SUBJECT PROPERTY:

Zone: MP
General Plan: Industrial Park
Lot Dimensions: Irregular
Lot Area: 2.9 acres
Existing Development: Approx. 67,000 sq.ft. industrial building

SURROUNDING PROPERTY:

North: MP, miscellaneous industrial
South: (Across Paulairno) CL, offices
East: (Across Airway) MP, airport offices & industrial
West: MP, auto repair

DEVELOPMENT STANDARD COMPARISON

Development Standard Required/Allowed Proposed/Provided

Lot Size:		
Lot Width	120 ft.	330 ft.
Lot Area	30,000 sq.ft.	126,395 sq.ft.
Floor Area Ratio:		
(Low Traffic FAR)	.35 (44,238 sq.ft.)	.53 (67,110 sq.ft.)*
Parking:		
Standard	145	94
Handicapped	6	2**
TOTAL:	151	96*

* Legal, nonconforming.

** Handicapped parking per Building Codes will be required to be provided.

CEQA Status: Exempt, Class 1

Final Action: Planning Commission

BACKGROUND

Westar Nutrition (Westar) has been operating at 1239 Victoria Street since 1991. The original business license was issued for a vitamin repackaging and wholesale distribution business. However, based on complaints from adjoining neighbors, it became apparent that Westar was manufacturing vitamins as well as packaging and distributing their products. On August 18, 1997, City Council determined that the manufacture of vitamins and nutritional supplements is the same as the manufacture of pharmaceuticals, which requires a conditional use permit.

Westar subsequently applied for the permit and, under PA-97-53, was ultimately approved by City Council to manufacture vitamins and nutritional supplements (not including injection-made, soft gel capsules) for a period of two years. The packaging and distribution aspect of the business was allowed to continue at the Victoria Street location. Westar discontinued all manufacturing as required and relocated the manufacturing portion of the business to Santa Ana, retaining the Victoria Street location for administrative offices.

Westar now wishes to consolidate their business at a single location. Based on the August 18, 1997, City Council determination, a conditional use permit is required for the use.

ANALYSIS

The subject property abuts other industrially-zoned and developed property containing a variety of uses such as auto repair, semi-conductor manufacturing, testing of silicone chips, and warehousing and distribution. Offices for John Wayne Airport administration to the east, and general offices to the south, are separated from the property by Airway Avenue and Paularino Avenue, respectively. The MP zone of the property permits a variety of uses including production of fiberglass products, auto repair, wholesale businesses, metal fabrication, and manufacturing of stone, clay, glass, and concrete products as well as manufacturing or processing of foods and beverages, and limited office uses.

The business involves primarily natural food products delivered to the company in powder or condensed forms (liquids or solids) that are separated, measured, analyzed, dried, blended, milled/pulverized, mixed and packaged as either hard pills, powders, or liquids. Raw materials are compressed into tablets, encapsulated into two-piece, hard-shell gelatin capsules or combined to make powdered drink mixes or liquids. Injection-made, soft gelatin capsules will also be manufactured. The finished products are then packaged, labeled, and made ready for shipment. Product research and development and the company's administrative offices will also be conducted at this location. The business would be conducted inside the building and is compatible with the Industrial Park General Plan designation and Manufacturing Park zone of the site.

In staff's opinion, concerns expressed with Westar at the Victoria Street location were based primarily on the location of this manufacturing business abutting a residential area. By locating in an area with other manufacturing and commercial uses the business should be able to be conducted without impact on the neighbors. Approval will allow the business to consolidate the two portions of their business into one location, and to vacate their current location on Victoria Street.

ALTERNATIVES

If Planning Commission denies this request, the applicant could still conduct a packaging/distribution business from this location.

ENVIRONMENTAL DETERMINATION

This project is exempt from the provisions of the California Environmental Quality Act.

CONCLUSION

The proposed manufacturing business is appropriate for this property, because it is located in an area zoned for, and occupied by, other manufacturing uses. Approval of the conditional use permit will allow the business owner to consolidate their administrative offices and manufacturing activities, currently in two separate locations, into a single building.

Attachments: Draft Planning Commission Resolution
 Exhibit "A" - Draft Findings
 Exhibit "B" - Draft Conditions of Approval
 Applicant's Project Description and Justification
 Location Map
 Plans

File Name: 011204PA0360

Date: 12/30/03

Time: 4 p.m.

cc: Deputy City Mgr. - Dev. Svcs. Director
 Sr. Deputy City Attorney
 City Engineer
 Fire Protection Analyst
 Staff (4)
 File (2)

Cheryl Cartwright
 Westar
 1239 Victoria Street
 Costa Mesa, CA 92627

Munson Family Trust
 c/o Dan Curtis
 Curtis & Associates
 3187 Airway Avenue, Suite F
 Costa Mesa, CA 92626

RESOLUTION NO. PC-04-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF COSTA MESA APPROVING CONDITIONAL USE
PERMIT PA-03-60**

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA HEREBY RESOLVES
AS FOLLOWS:

WHEREAS, an application was filed by Westar, authorized agent for Munson Family Trust, with respect to the real property located at 350 Paularino Avenue, requesting approval of a conditional use permit to manufacture vitamins and nutritional supplements in an existing industrial building in the MP zone; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on January 12, 2004.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", and subject to the conditions contained in Exhibit "B", the Planning Commission hereby **APPROVES** Conditional Use Permit PA-03-60 with respect to the property described above.

BE IT FURTHER RESOLVED that the Costa Mesa Planning Commission does hereby find and determine that adoption of this Resolution is expressly predicated upon the activity as described in the Staff Report for Conditional Use Permit PA-03-60 and upon applicant's compliance with each and all of the conditions contained in Exhibit "B". Any approval granted by this resolution shall be subject to review, modification or revocation if there is a material change that occurs in the operation, or if the applicant fails to comply with any of the conditions of approval.

PASSED AND ADOPTED this 12th day of January, 2004.

Chair, Costa Mesa
Planning Commission

EXHIBIT "A"**FINDINGS**

- A. The information presented substantially complies with Costa Mesa Municipal Code section 13-29(g)(2) in that the proposed manufacturing of vitamins and nutritional supplements is substantially compatible with developments in the same general area. Granting the conditional use permit will not be detrimental to the health, safety and general welfare of the public or other properties or improvements within the immediate vicinity. Specifically, the use is consistent and compatible with the other manufacturing and commercial uses surrounding the property and in the area. Granting the conditional use permit will not allow a use, density or intensity which is not in accordance with the general plan designation for the property.
- B. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and has been found to be exempt from CEQA.
- C. The project is exempt from Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

EXHIBIT "B"**CONDITIONS OF APPROVAL**

- Plng. 1. The conditional use permit herein approved shall be valid until revoked, but shall expire upon discontinuance of the activity authorized hereby for a period of 180 days or more. The conditional use permit may be referred to the Planning Commission for modification or revocation at any time if the conditions of approval have not been complied with, if the use is being operated in violation of applicable laws or ordinances, or if, in the opinion of the development services director or his designee, any of the findings upon which the approval was based are no longer applicable.
2. A copy of the conditions of approval for the conditional use permit must be kept on premises and presented to any authorized City official upon request. New business/property owners shall be notified of conditions of approval upon transfer of business or ownership of land.
3. The conditions of approval and ordinance or code provisions and special district requirements of Planning Application PA-03-60 shall be blueprinted on the face of the site plan.
- Trans. 4. Eliminate parallel parking stalls in parking area adjacent to Airway Avenue to maintain 25 foot parking aisle to allow adequate space for turning movements.

PLANNING DIVISION - CITY OF COSTA MESA

DESCRIPTION/JUSTIFICATION

Application #: PA-03-60

Environmental Determination: *Exempt, Class 1*

Address: 350 Paularino

1. Fully describe your request:

See attached

2. Justification

A.

For a Conditional Use Permit or Minor Conditional Use Permit: Describe how the proposed use is substantially compatible with uses permitted in the same general area and how the proposed use would not be materially detrimental to other properties in the same area.

See Attached

*naturally-derived
ingredients*

*to consolidate headquarters
(located at Victoria)
and manufacturing
(in Santa Ana)*

~~B.~~

For a Variance or Administrative Adjustment: Describe the property's special circumstances, including size, shape, topography, location or surroundings that deprive the property of privileges enjoyed by other properties in the vicinity under the identical zoning classification due to strict application of the Zoning Code.

~~3.~~ This project is: (check where appropriate)

☐ In a flood zone.

☐ Subject to future street widening.

☐ In the Redevelopment Area.

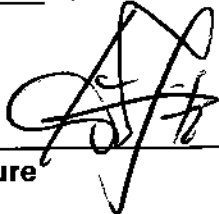
☐ In a Specific Plan Area.

4. I have reviewed the HAZARDOUS WASTE AND SUBSTANCES SITES LIST published by the office of Planning and Research and reproduced on the rear of this page and have determined that the project:

☒ Is not included in the publication indicated above.

☐ Is included in the publication indicated above.

Signature



Date

11/25/03



Westar Nutrition, Corp.

PA 03-607

DESCRIPTION / JUSTIFICATION

1. Fully describe your request:

Westar Nutrition Corp. manufactures and distributes nutritional supplements and has obtained with "Lease to Buy" a property at 350 Paularino in Costa Mesa to implement operations.

The operations include:

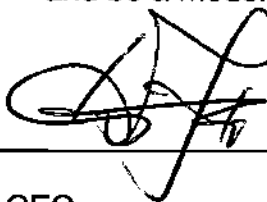
- Receiving and warehouse storage of raw materials, components, in-process and finished supplement products.
- Blending, tableting, encapsulation of supplements
- Bottling, packaging and shipping of finished products.
- Product research and development, testing laboratories
- Administrative offices

2. Justification:

Westar has performed the manufacturing and distribution of nutritional supplements in the City of Costa Mesa and the City of Santa Ana for over 13 years. The company has shown that has been compliant with all State, County and City regulations and codes as required in the maintenance of the facility and operations, including environmental regulations, etc. The company also adheres to the regulations required by the Food and Drug Administration and California Department of Health Services to ensure its compliance for the industry.

The company has shown, in its previous location in the City of Santa Ana for the last five years, that the manufacturing of dietary supplements in an industrial zone is compatible with the surrounding properties and businesses and has not been detrimental to the health, safety and general welfare of the public or other properties or improvements within the immediate vicinity.

At the Paularino facility, Westar intends to continue the good business practices and be a model manufacturing company in the City of Costa Mesa.

 president

David Fan
President, CEO

11-25-03
Date

10

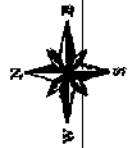
Zoning/Location Map

PA-03-60



Legend

Identified Features	
Street Names	
Parcel Lines	
Zoning	
Other	
Administrative & Professional	
Local Business	
Local Business & School	
General Business Commercial Limited	
Institutional & Recreational	
Institutional & Recreational - School	
General Industrial Industrial Park	
OCFD	



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CITY OF COSTA MESA

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DEVELOPMENT SERVICES DEPARTMENT

**If you are interested in viewing the plans for this project,
please call the Planning Division at (714) 754-5270**